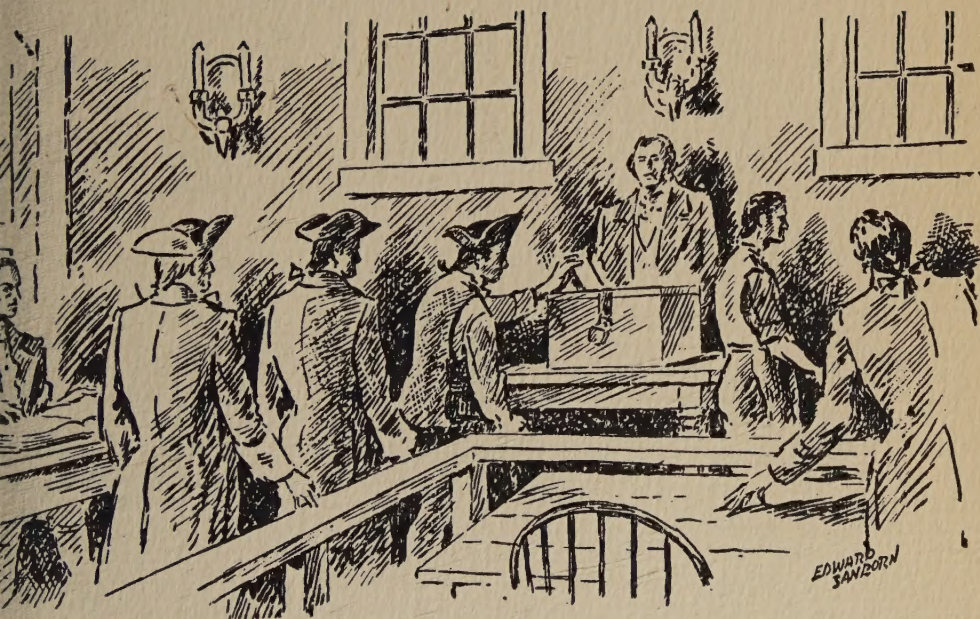


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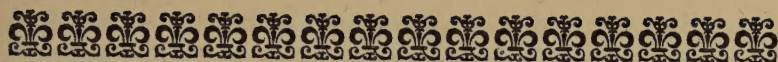
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Township of Monro

By WILMOND W. PARKER

OF those who read these lines, probably not one in a thousand has ever heard of the township of Monro. It is not strange—indeed, it was some years from the time I first saw the map of Monro until I learned anything of either its name or its history. And yet, had the Fates so willed, it might have made its own small place in state history; and the Union Station and the Post Office in Washington D. C., and the state capital in Madison, Wisconsin might have been constructed of Monro White instead of Bethel White granite.

But the township of Monro was still-born. It was an unwanted child, and no doubt the parents—the towns of Bethel, Randolph, Royalton, and Tunbridge were distinctly relieved.

The origins of Monro go back into the history of Tunbridge Gore. This narrow strip of land was left over when the towns of Royalton and Tunbridge were chartered—the former on the basis of a New York grant of 1769, and the latter by New Hampshire in 1761. Thus it came about that in 1785 Paul Spooner and fourteen associates were given title to the Gore, which, for political purposes, was annexed to Tunbridge. Perhaps it is typical of such gores to breed lawsuits and disaffection; at all events, to believe Mrs. Lovejoy, author of the history of Royalton, such was the case of Spooner's Gore.

The residents, or some of them at least, having served an apprenticeship in this controversy, turned their attention to a new proposition—the creation of a town which should embrace the corners of Bethel, Randolph, Royalton, and Tunbridge. The tract proposed would have totalled some 9285 acres, of which 2355 would have been taken from Bethel; 2560, from Royalton; 2270, from Tunbridge; and 2100, from Randolph. Substantially, it

included the valley of the Middle Branch of the White River from a point below East Bethel to a point north of South Randolph, together with a considerable area of hill country sloping down to that valley on either side. In Randolph it included what was called Davis Gore, together with part or all of the Parks, Persons, Evans, and Rogers Lots. In Bethel, it began at Mr. Ellis's holding, Lot 1 Second Range East of the Branch, and took in 21 lots in all, the southernmost being that of Mr. Green, on the Royalton border. Eighteen lots in Royalton would have fallen within its bounds, all to them in Town Plot. Tunbridge's share embraced 20 lots, six of them in the disputed Tunbridge Gore region. The whole would have made an odd shaped but compact tract, some five miles long, and at most two miles wide. It would have included the present villages of South Randolph and East Bethel; and among its unknown assets would have been the granite deposit on Quarry Hill.

That such a township had much to be said for it is evident to anyone familiar with local geography, despite the casual verdict rendered by the Royalton historian, who wrote: "It is difficult to understand just what motives prompted them to meditate the formation of a new town by taking portions from..." existing towns. If one lays off the approximate boundaries of the proposed tract on the U. S. Geological Survey map (Randolph Quadrangle) it becomes apparent that it had more natural, functional boundaries than did any of the parent towns.

In the first place, the towns in question are traversed by the three parallel branches of the White River, all of which join the main stream in a distance of some six miles as it crosses Bethel and Royalton townships. Today the main villages of Bethel and Randolph lie in the valley of the Third Branch; the main villages of Tunbridge and Royalton lie in the valley of the First Branch; but the Middle Branch flows through East Brookfield, North Randolph, East Randolph, South Randolph, and East Bethel, down to North Royalton or Foxville—a series of communities whose natural interests are in common, but whose public affairs are administered from the larger villages of the other two valleys.

In the second place, the heights of land lying between at least three of the sectors and their respective government headquarters were true barriers to travel in late winter and early spring, if not

at other seasons. From South Randolph to Randolph Center, then the seat of town meeting, is a rise of more than 800 feet. The road from East Bethel to Bethel traverses Quarry and Christian Hills at an elevation of 1200 feet—only slightly less than that of the Center. And from the Rae School, in old District No. 7 of Tunbridge, to Tunbridge Village, the road rises nearly 500 feet in half a mile, as it climbs over Tunbridge Hill. Only in Royalton was there a reasonably direct and level road to the center of population.

My first knowledge of the town was from a map, drawn on four sheets of foolscap pasted together. It was probably made in the summer or fall of 1809, by Jonathan Whitney, a self-taught surveyor, teacher, and farmer living in the Gore. Further investigation uncovered, in the State Department files at Montpelier, three musty documents which contain practically all that can be ascertained regarding the project. The first was a petition, dated at Tunbridge, October 10, 1809, and bearing 56 signatures; the second, a similar petition with 89 signers, dated August, 1820, and thoroughly written over with various endorsements tracing its progress through the legislature; and the third, a "counter-petition and remonstrance", dated at Randolph, October 1, 1823. The Journal of the Assembly and the records of Governor and Council furnish official confirmation of the legislative action.

In October, 1809, when the legislature met, the following document was laid before it:

"To The Honorable the General Assembly of the State of Vermont next to be convened at Montpelier on the second Thursday in Oct. instant. A petition a number of the inhabitants of the towns of Bethel, Randolph, Tunbridge & Royalton. Humbly showing that whereas your Honor's petitioners, inhabitants of the living on the contiguous corners of the aforementioned towns by reason of the local situation labor under many and great inconveniencies, firstly from the distance at which they are placed from the center of their respective towns, secondly by reason of the roughness of the road and the allmost inaccessible mountains that some of us have to pass over to get to the place of public worship or other public business and thirdly what renders it still more inconvenient in the winter season it is frequently impossible to keep a road through the snow so that some of us have to

travel from 9 to 12 miles to get to our annual March meeting and many others not necessary to mention at this time. All of which we your Honors Humble petitioners as good citizens as bound in duty shall ever pray.

Dated at Tunbridge this 10th Day Oct 1809."

Jonathan Whitney	Jonathan Peake	Ezra Young
Pryah Green	Jared Rich	George N. Kinney
Nathaniel Morrill	John Page	Lyman Wight
Eleazer Clossen	Oliver Preston	Paul Smith
Reuben Bloss	William Goodrich	Asa Paren Jr.
William Wight	Isach Hincer	Wm. Anderson
James Morrill Jr.	John Parish	Jaman Woodworth
Ziba Gifford	James Woodworth	Enoch Grean
John D. Brooks	Wm. Jones	Abraham Sargent
Riel Cross	Ephraim Terry	Samuel Pain
John W. Evens	Leonard Fish	Elisha A. Fowler
James Kelsey	Robert Anderson	Joseph Carpenter
Beriah Badcock	John Moxley Jr.	Wm. Southworth
John Gifford	Squire Cleveland	Daniel Woodbury
James Annis	Arunah Hibard	John Kimbal
Benj. Cozzens	Solomon Burnham	Joseph Kirber
Hezekiah Young	Nathan Davis	Luther Anderson
James Morrill	John Bradford	Ether Mathews
Peter Whitney	David Davis	

One is tempted to inquire what type of men these were—dissatisfied trouble-makers schooled in the land quarrels of the Gore, or substantial citizens, sincerely seeking to re-draw the map in conformity with the facts of geography. Unfortunately, your author is in no position to give any such verdict, since he recognizes but a small portion of the names. Perchance there may be readers, descendants of these men, or living in the valley of the Middle Branch, who can supply the data from which such a judgement could be made.

The petition was immediately referred to a committee composed of the representatives from Barnard, Pomfret, Northfield, Braintree, and Sharon, with a request that the Council appoint a member to confer with them. Accordingly, Elias Keyes of Stockbridge was added to the group. The obvious intent of the Assembly in appointing this committee was to place the matter in the hands of a group from neighboring towns, who were acquainted with the local situation. This committee, however, either from the press of other business, or from disinclination to commit them-

selves on a matter of concern to their sister townships, merely reported in favor of the appointment of another committee to view the site and report to the session of 1810.

Of the subsequent history of this petition, not a great deal can be said. Whether or not the committee was appointed in the 1809 session is not apparent; however, the question of the new township was carried on the list of unfinished business for the next session. Moreover, the records of the Governor and Council, under the date of October 16, 1810, carries the following entry: "Recd from the House a bill entitled an act appg a Committee to examine the towns of Randolph, Royalton, Bethel & Tunbridge with an order of the house referring the same to a committee of 4 to join, which was read & it was Resolved to concur with the house in said reference & Mr. Hunter was appd to join." And there the matter rested, for all that we can learn.

During the next decade, the troubled time of the War of 1812 and of the Hunger Year of 1816 must have distracted the attention of the proponents of the change; but not permanently, for in 1820 the project was brought forth anew. Another petition was circulated, in four sections (presumably one in each of the four towns) and 89 names were secured. This document reiterated, in somewhat more polished form, the main points of the earlier one:

"To the honb the General Assembly next to be holden at Montpelier on the second Thursday of October next, the petition of the undersigned, inhabitants of Randolph, Royalton, Bethel, and Tunbridge, humbly represents that the sections of the several towns in which they respectively reside are contiguous; that it would promote public justice and private interest to form the same into a separate town, endowed with corporate privileges; that the local situation of the undersigned removes all doubt as to the expediency of the measure; that the sections belonging to Bethel & Tunbridge are in a measure deprived of corporate rights enjoyed by other citizens, by reason of ranges of mountains separating them from said towns. That they are & ever must be under the necessity of travelling a very circuitous route to the usual place of holding public town meetings; that that portion of the inhabitants belonging to Royalton and Randolph would be much better accomodated if the Honb As-

sembly would grant the prayer of the petition. They therefore humbly pray the Honb Assembly to take their unfortunate situation into their wise consideration, and grant the prayer thereof, or such other relief as they in their wisdom shall deem proper, as in duty bound will ever pray.

August A.D. 1820	Daniel Woodbury	Peter Woodbury Jr.
Elisha A. Fowler	Bradford Cleaveland	Samuel Woodbury
Oliver Palmer	Squier Cleveland	
Samuel Hibard	Simeon Bloss	Dated at Bethel this
William Deman	Oliver Luce (?)	22nd Day of Sept.
John D. Brooks	Jason Bairter	1820
Joshiah P. Brooks	John G. Dutton	Mathias Priest
J. A. Curtis	John Cleveland	Calvin Priest
Luther Davis	Henry Luce (?)	Zabad Whitney
Adonijah B. Rogers	Nathan Kimball	Nathiel Morrell Jr.
... Fowler (illegible)	Walter Perrin	James Randall
George W. Kinne	Ira Richardson	Saml Morrell
Harper Richardson	Don Crain	Patten Davis
Daniel Kinney	Nathl Morrell	Solomon Burnham
Jared Rich	of which your humble	Harry Wight
Isaac Hincer	petitioners as shall ever	Paul Smith
Thomas Clark	pray	Hiram Anderson
Jesse Cogswell	Elisha L. Tracy	Gilbert Smith
John Gifford	Cyrus Tracy	Austin Bradford
Benjamin Putnam	Olin Kingsworth	James Kelscue
O. N. Brooks	(exempt from expense)	Henry Macy
William Jones	Charles Kelsey	William Wight
Abel Wright	Benjamin Dering	Joseph Moxley
Elisha Terry	Calvin Davis	Thomas Cozzens
Asa Billings	John Page	Jona Whitney
This column signers	Adonijah Rogers	Benjamin Cozzens
belongs to Royalton	Lemuel Woodworth	Lyman Wight
Reuben Blak	Famin Woodworth	George W. Wilson
Leonard Fiske	James Wallace	Joseph Anderson
Bethabra Terelane (?)	John Wallace	Ziba Gifford

Of these 89 signers, 21 had also signed the earlier petition of 1809. Of the rest, neither more nor less can be said than of the previous group.

This petition went before the legislature on October 19, 1820, and then began a great game. Or, in modern parlance, it was given the "run-around." The following chronology, compiled from the endorsements which cover almost every available square inch of space on the outside of the document itself, and from the records of Governor and Council, tell the story in itself:

- October 19, 1820 Read and referred to a joint committee, consisting (for the House) of representatives from Weathersfield, Panton, Middlesex, Wheelock, Enosburg and Glover.
- October 20, 1820 Council concurred, and appointed Le-land of Chester and Cotten of Bradford.

Two facts seem noteworthy here—first, that this was a rather large committee to be appointed unless the matter were deemed worthy of serious consideration; second, that it was entirely different from the committee of 1809, being drawn from distant and not neighboring towns.

- October 20, 1820 Committee reported in favor of referring it to the next session.
- October 21, 1820 Referred to the next session.
- October 13, 1821 Listed among unfinished business of previous session.
- October 25, 1821 Referred to committee consisting (for the House) of representatives from Dorset, Halifax, Wilmington, and Fair Haven.
- October 26, 1821 Council resolved to concur, and appointed Cittenden of Williston.
- October 21, 1821 Committee reported in favor of referring to next session.
- November 30, 1821 Report concurred in, and referred to next session.

One wonders whether the fact that it took a month to take this move was an indication of lack of interest, or of actual difficulty on the part of the House in making up its mind.

- October 14, 1822 Listed among unfinished business from previous session.
- October 16, 1822 Referred to committee consisting (for the House) of representatives from Athens, Montpelier, Berlin, and Enosburg.
- October 18, 1822 Council concurred and appointed Stanley of Greensboro.
- October 22, 1822 The committee reported that the petition *ought to be granted*.

One wonders again why this committee differed from previous

ones, especially since one member, Follett of Enosburg, had served previously in connection with the matter. At all events, the action of the House was this time prompt and decisive:

October 22, 1822	Petition recommitted to the same committee.
October 23, 1822	Committee (properly chastised, we presume) reported in favor of referring to next session.
October 23, 1822	Council concurred, and matter referred to next session.
October 1, 1823	A remonstrance and counter petition signed as of this date.
October 11, 1823	Petition listed among unfinished business.
October 14, 1823	Both petition and counter petition filed, and referred to a committee consisting of King (probably of Tunbridge), Lillie (of Bethel) and Dewey (of Royalton).
October 23, 1823	Committee recommended that petition be dismissed.
October 23, 1823	Petitioners given leave to withdraw the petition.

The appeal which apparently finally moved the legislature to deliver the petition into the hands of its enemies—that is, representatives of three of the four towns which would be adversely affected—was as follows:

“To the Honorabl Gen^l Assembly of the State of Vermont next to be holden at Montpelier on 2nd Thursday of October 1823.

“This petition & remonstrance of the undersigned Inhabitants of Randolph & its vicinity humbly sheweth that your petitioners reside within the limits of the contemplated town of Monro, being a tract of land composed of the four corners of the towns of Randolph, Bethel, Royalton & Tunbridge. That your petitioners are informed that sundry people residing in sd tract have heretofore petitioned the legislature of the State of Vermont to erect sd tract into a township and separate the same from the several towns to which it has heretofore appertained. Your petitioners beg leave humbly to remonstrate

against the measure contemplated as being in the opinion of the petitioners contrary to the true interests & real prosperity of the inhabitants of sd tract.

"Your petitioners therefore pray that the petition above al-
luded to may be dismissed and that the limits of the towns
aforesaid may be suffered to remain as they now are, and as
duty bound will we pray.

Randolph, October 1st, 1823."

Pelatiah Rogers	John H. Cogswell
Adonijah Rogers	William Cogswell
Benjamin Woodworth	James Peck
Jamin Woodworth	Harvey Peck
Webster Wallbridge	Lemuel Woodworth
Calvin Ellis	Woolcott Allyn
John Page Jr.	Rastus Peck
John Page	John Granger
Sergent Page	Ephraim Peck
Andrew Woodworth	Alexander Young.

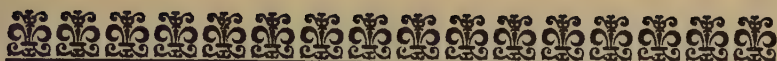
Thus what two petitions, signed by 124 different persons, and a favorable report of a legislative committee sought to accomplish was easily blocked by a counter petition with twenty signers, five of them original proponents of the scheme, and more then half of them belonging to the Woodworth, Peck, and Page families! After the lapse of years one speculates as to what prompted the legisla-
ture, first, to entertain the proposal as it did for several sessions; and second, to dismiss it so suddenly upon the receipt of a docu-
ment which would appear to represent such a decidedly minor seg-
ment of the population. Bethel itself, to take a single example, ranged between 1000 and 1300 inhabitants at this time; on the very modest assumption that each of the 119 signers who did not recant their views represented a family of five, this would accord the pro-
posed town an interested population of nearly 600, as against a sixth that number claiming to be adversely affected.

One postscript remains to the history of the town of Monro. On October 16, 1823, there was filed in the legislature another peti-
tion from this section of the state, proposing to annex the part of Bethel known as Lymphus to the town of Stockbridge. This was re-
ferred to a committee, which on October 27 reported in favor of re-
ferring to the next session. When the next session came, it was
again called up, and sent to the committee "on the petition of Eli-

sha Fowler and others"—that is, the committee on the petition for the town of Monro. But since the legislature had dismissed the Fowler petition in the previous session, and since no further record appears to exist in the State Department of that or any similar petition for the town of Monro, this constitutes the final mystery of the affair—that such a committee should still be in existence, and in a position to report the Lympus matter unfavorably on November 11, 1824 and lead to the dismissal of the latter petition two days later!

The township of Monro was, as I said at the start, still-born. Since the infant was interred with appropriate rites by Messers King, Lillie, and Dewey, a century and a quarter have rolled by. Yet one cannot help but wonder, as one rides over the hills on either side of the Middle Branch or as one hears acrimonious give and take in town meeting, whether it might not have had a long and useful life, had the Fates so willed.





Excursion Into Genealogy

IMMORTALITY IN REVERSE

By MARY CHILDS NERNEY

Because so many people who want to track down their ancestors are at a loss as to how to go about it, we are publishing this helpful guide to the amateur. To provide a convenient checklist of genealogical guides, the foot notes have been grouped at the end. This is the work of Miss Mary Childs Nerney.

EDITOR

WHERE were you in 1718? In 1818 or in 1618? "In 1818 you were walking abroad, probably in the guise of four grandparents. In 1718 you were looking at the world out of, say thirty-two pairs of eyes; whereas very likely in 1618 some ten hundred and twenty-four individuals, all unwitting, had the honor of being directly your ancestors."

In this way Professor Cyril Allen Herrick thirty years ago challenged the Minnesota Historical Society to consider "The Family Trail Through American History," putting his subject provocatively when he said: "Where I was in 1718 is as to me as interesting as Where I shall be in 2018? It is a sort of reversed immortality."¹

Although he held that all people have an instinctive interest in ancestry and that a man aroused to curiosity about his great grandfather is in a fair way to become a student of history, Professor Herrick felt nevertheless, that most people know and wish to know nothing of history. As an instance he cited a class of thirty "normally intelligent" students at the University of Minnesota from whom he drew the information one day that "Hannibal (some spelt his Cannibal) was a Roman author, that Bismarck was an American writer and ambassador to England, that Buddha was a Turkish god, Alexander the Great an Egyptian Admiral and John Paul Jones an English pirate (which he may have been)."

GREATGRANDFATHER IS PART OF HISTORY AND PART OF YOU

If curiosity about greatgrandfather excites interest in his parents and on back through the widening circle of generations, even a novice in genealogy could hardly fail to acquire some historical knowledge and perspective. In one instance research in eight different historical fields was part of the grist a genealogical investigator brought in.² Greatgrandfather is a part of history as well as part of You. How much of You? Biologically about one eighth. Characteristically? Only Destiny has the answer. For traits seem to persist.

There is however, a side to ancestor hunting, usually ignored, that should be faced squarely at the start. In so far as genealogy merely contributes to vanity and self-satisfaction, it is unworthy to rank as a science, according to Charles Knowlton Bolton, the antiquary, who feels that as customarily developed, the subject does not closely ally itself with other fields of serious research. "The honest student, however, finds much to make him ponder. . . much that gives him the larger view. . . There comes to be little of mere vanity and not very much to regret."³

By way of illustration Mr. Bolton describes the case of Elizabeth, daughter of William Tuttle of New Haven. "Elizabeth was divorced from her husband for adultery. Her sister murdered her child, and her brother was a murderer. Yet our American culture would have been poor indeed had Elizabeth Tuttle never lived: Jonathan Edwards, God's elect in colonial New England, was her grandson; two Presidents, Grant and Cleveland, were among her host of famous descendants, and there were scholars, warriors and clergymen innumerable. Elizabeth's husband married again, but the second wife gave nothing of genius to *her* descendants, although she came from a distinguished Connecticut family."

What then is the genealogist's duty when he discovers a domestic irregularity? If the name of the husband or father were found, it would be a bit late to change the surname. "There is but one thing to do," as Oscar Frank Stetson says in his *Art of Ancestor Hunting*, "Record the Facts. It is not the province of the genealogist to accuse or excuse but to stick to fact and record it when it is beyond question."⁴

Another colonial woman, Martha Pitkin, also "made history," though not conventionally for her time. For she was bred to learn-

ing by her father when it was not thought worth while to teach a girl to read. "Martha's merits were so evident that her possible departure out of the colony, it is said, became a matter of general concern. To this one ancestral girl," who married Simon Wolcott, Bolton believes, "the Wolcott family, with its major generals, its signer of the Declaration of Independence, its senators, and its governors in each generation, owes its success."³

Greatgrandmother like greatgrandfather may transmit only one eighth of her blood to you but some of her traits may reappear generation after generation. This possibility should be considered with the practice of dropping out the female line in genealogical research as soon as the wife has become established in the family of her husband.

Allowing for domestic irregularities genealogists have excellent reasons for assuming that a large percentage of children were actually offspring of their reputed parents.⁵

RECORDS ARE PROOF

The reasons to which genealogists pin their faith are RECORDS: Probate, State, Church, Vital Statistics, Family Papers. These are the roots of every authentic family tree. Europeans grasp the significance of Records to genealogy better than Americans. For the very basis on which most European states have been built is a well organized and official genealogy. In making this point at a meeting of the American Historical Association, Netherland-born writer, the late Dr. Hendrik van Loon, said: "We ask very little of our ruler except this one FACT that he be the next lineal descendant of the ruler who has gone before. . . It was this demand that made modern genealogy of the reigning families as exact as the pharmacopeia of the medical student. . . the Almanach de Gotha as accurate in its way as a mathematical table."⁶

With Records recognized as fundamental proofs and the possibility of their accuracy admitted as an almost mathematical fact, is there a method for preparing a genealogy? For the beginner there are several excellent handbooks that discuss methods. Outstanding in selection, presentation and arrangement of material is *Searching for Your Ancestors: the Way and How of Genealogy*⁷ by Gilbert Harry Doane, Director of Libraries, University of Wisconsin. Carefully organized Appendices include a selected working Bibliography classified by states and general topics of key

significance; Vital records before 1900; Census records and Revolutionary rosters. There is, *mirabile dictu*, a first class index.

Lucid and entertaining, the book is useful to beginners as well as to genealogists of experience. Hints, short cuts and out-of-the-way sources are presented in a style that saves the reader's time whether he seeks to become a member of an hereditary-patriotic society or is only working to complete his lineage out of sheer fascination with the chase.

VERMONT A STUMBLING BLOCK

A supplementary article by Mr. Doane, who based his writing not only on his research for his own ancestors but also on work he has done for others in his professional capacity as librarian, appeared in the *Indiana Magazine of History*, March 1938, and was reprinted as a pamphlet with the title, *Vermont A Stumbling Block in Mid Western Genealogy*.⁸

A Vermonter by birth, Mr. Doane has condensed in twenty pages a summary of what he learned in "twenty-three years of poking around in the printed and unprinted records" of the Green Mountain State. For, as he relates, after sixteen years of discussing genealogy with hundreds of Midwesterners, "it seems to him that nine out of every ten people to whom he talked have one or more lines of ancestry going back through Vermont and at least half of those lines are blocked with a progenitor who 'came from Vermont,' or lived or died there. Thus it seems to him that Vermont has become a stumbling block to those in the Middle West, and especially in the Great Lakes basin, who are attempting to trace their ancestry to immigrants from across the ocean."

Mr. Doane's pamphlet brilliantly achieves its object, "the desire to help researchers find clues which will enable them to carry back their lines another generation or two, and so to speak, get them out of Vermont and into one of the other New England states."

Venezio P. Pitoni's *Guidex: Genealogical Research Guide to Principal Sources and Indexes*⁹ is a well organized outline for the working genealogist. Essentially a bibliography, it is easy to use if a little time is taken at the start to mastering its arrangement. The first paragraph on General Indexes (page one) should be read daily by the novitiate and the statement that follows reread frequently.

A reliable handbook is *The Art of Ancestor Hunting*⁴ by Oscar Frank Stetson who stresses sources; discusses tools, charts, forms, systems, the scope of genealogical records and working papers; emphasizes the significance of records and goes into the problems of publication from the preparation of copy to financing.

Evan L. Reed's *Ways and Means of Identifying Ancestors*¹⁰ presents genealogical research by region and state in America; research in England, Canada and on the Continent and research for entrance into hereditary patriotic societies. Forty pages of 225 are given to "Showing How a Family History Was Worked Out." Bibliographies are given at the ends of chapters. There are reproductions of genealogical forms and a useful though incomplete index.

*The Handbook of American Genealogy*¹¹ edited by Frederick Adams Virkus carries unique features and is to be used with caution: Genealogies in Course of Compilation; Who's Who in Genealogy, a biographical-genealogical record of the leading professional, avocational and family genealogists of America; and a Geographical Register of these genealogists arranged by state and county. Together these lists serve as a clearing house for genealogists who would like to get in touch with others who are working on lineages in which they are interested.

Older outlines that are still useful include Henry E. Stiles, *A Handbook of Practical Suggestions for the Use of the Student of Genealogy*¹² and William S. Mills, *Foundations of Genealogy*, both published in 1899.¹³

START WITH THE FAMILY BIBLE

In beginning a genealogical investigation, start with the family register in the family Bible. If it is incomplete, make every effort to fill in the gaps and bring it to date. Early Bible registers form a significant part of the Early Records of the Vermont National Society of the Daughters of the American Revolution on file in the Vermont Historical Society.

Question your family to the most remote connections taking care not to omit the older members. Be indefatigable in your search for family papers; old letters, diaries, account books, journals, almanacs which often carry personal memoranda on significant dates. Look for samplers which may carry a family line and for bed coverlets which often have autographs of an entire family

with place names. Visit old churches where your people were members, cemeteries where they were buried and make inquiries for their records.

At this stage to check your procedure and enlarge your perspective read D. B. E. Kent's "The Study of Ancestry" in *The Vermonter* for 1915,¹⁴ volume 20 pages 117-22 and 141-48. Start with the second article, pages 141ff.

When you are satisfied that you have gathered the last wisp of information from your relatives, seek your local library and confer with the librarian on procedure. Do not expect to find extensive genealogy in the average public library though today even the smallest library may have a shelf of books on the subject. The librarian can direct you to the nearest genealogical collection. Enlarge your acquaintance with genealogical sources by examining the collection in your State Library, in the State Historical Society, in the best regional library in your area, say the library of the New England Historic-Genealogical Society, Boston, the library of the New York Genealogical and Biographical Society, the library of the Long Island Historical Society, Brooklyn and the Newberry Library, Chicago, to mention only a few.

DO NOT EXPECT TOO MUCH OF LIBRARIANS

Avoid, however, writing librarians letters asking questions which singly or together might require hours, perhaps even days of research to answer. The function of the librarian is to make the materials of history and genealogy available by gathering, classifying and cataloguing them and to introduce newcomers to them by way of the card catalog, indexes and key reference sources. Understaffed as libraries are they have all too little time for these essential duties and cannot take time off for personal research.

If you merely need to know the title or location of a particular volume, or require clarification of a point which can be checked by quick reference to a specific book not available to you, librarians can often oblige. They are eager to help when the request does not constitute a demand upon time they do not have to give.

If you cannot come to the library to do the work yourself, lay your problem before the librarian and ask her to obtain a competent genealogical researcher for you. It is often well to indicate how much you are willing to spend to obtain the desired information.

TAKING OFF UNDER YOUR OWN POWER

Having decided upon the best collection convenient to you, introduce yourself to the Librarian who will acquaint you with that *sine qua non*, the card catalog and the other tools already mentioned; in short show you how to help yourself.

After reading carefully the "Durrie" series in Doane's *Searching for Your Ancestors* (p. 205-6) and taking note that his book was published five years before the first volume of *The American Genealogical Index* was issued in 1942, start your library research by going through genealogies of your own family name, following this by an examination of references to that name and in this order:

*The American Genealogical Index*¹⁵ edited by Fremont Rider and published by a Committee Representing the Cooperating Subscribing Libraries. Wesleyan University Station, Middletown, Conn. 1942-date. By 1948 this monumental Index had reached volume 23 covering Littlefield-Markell.

Index to American Genealogies. Edition 5.¹⁶

Supplement 1900-1908 to Index to American Genealogies Published in 1900.¹⁶

*Index to Genealogical Periodicals*¹⁷ by Donald Lines Jacobus.

The two volumes of the Jacobus Index cover nearly all the genealogical data that have appeared in American periodicals since 1900, and much before that date. Other Indexes are the four Index volumes covering volumes 1 to 50 of the *New England Historical and Genealogical Register*: (page 10 this copy) and *Collections of the Essex Institute* both for New England genealogy; Swem's Virginia Index for southern ancestry; the *Pennsylvania Magazine of History* and the *New York Genealogical and Biographical Record* to mention only a few of the state and regional periodicals that carry this type of information. *The Hartford Times* has a genealogical department. Similar features, formerly appearing in the *Hartford Courant* and the *Boston Transcript*, have been discontinued. A "Question and Answer" column appears regularly in *Mohawk Valley Genealogy and History* published by the St. Johnsville Enterprise and News, St. Johnsville, New York.

Since many names are in genealogies of other families, you will find the card cross reference file known as the American Genealogical Foundation Index highly useful. Where available (it con-

stitutes the first venture of the group now publishing the bound *American Genealogical Index*) it will refer you to the printed genealogies in which your name appears.

If you are not sure whether a genealogy covering your family has been published, consult the card index to genealogies in the Library of Congress, complete to an amazing degree. Both of these card indexes are in the Vermont Historical Society and most large reference libraries.

OUTSTANDING LOCAL HISTORIES WITH GENEALOGIES

By this time you will have gained some knowledge of the relationship of genealogy to local history. To acquaint yourself with modern standards in this field examine *The History of Woodstock, Connecticut*,¹⁸ by Clarence Winthrop Bowen, Completed with Additions and Corrections by Donald Lines Jacobus and William Herbert Wood under the supervision of the American Antiquarian Society. Eight volumes have been published, the first volume being the History of Woodstock and the other seven Genealogies of Woodstock Families. And the end is not yet for Woodstock was the taking off place of emigrants streaming through towns into Vermont and further westward.

Outstanding too are the Vermont genealogies published in conjunction with local histories of Peacham, Barnard and Pomfret. *Peacham, The Story of a Vermont Hill Town*,¹⁹ is modern in its approach, integrating the social, economic and intellectual drives of the time with the lives of the people. In many respects it constitutes a model town history. Genealogies are grouped in the second volume. The *History of Barnard*²⁰ is carefully done with conventional emphasis on the pioneer period, while the *History of Pomfret*²¹ is presented with style and charm and with many illustrations in a quite lavish format.

FAMILY PLACE—NAMES

For early Vermont family-place names fundamental sources are Abby Maria Hemenway, *The Vermont Historical Gazetteer*,²² 5 volumes and Index volume and *Records of the Council of Safety and Governor and Council of the State of Vermont*²³ in 8 volumes. About five hundred biographical and other personal notices of Vermonters scattered through the Records are indexed in volume 8, pages 459-64. All names of persons are indexed in each volume with a cumulative index in volume 8.

Many names appear in the *Proceedings* and *Collections* of the Vermont Historical Society from 1849 through 1948. These have been compiled recently by Director Earle Williams Newton²⁴ into printed name and subject lists for each series.

VERMONT FAMILY NAMES IN OTHER STATES

Vermont family names are found in other states, notably New Hampshire, Connecticut, Massachusetts, New York and through the Middle West. A new and useful list in this field is "Family Names in New Hampshire Town Histories," a Record compiled and indexed by the New Hampshire Historical Society.²⁵ A standard reference source for family names in the Index of Persons volume of the *New England Historical and Genealogical Register*,²⁶ which covers the first 50 volumes of this distinguished quarterly and has been continued in succeeding volumes to date.

VERMONT LAND RECORDS

Early land records resulting from Benning Wentworth's grants will be found in volume 26 of the *New Hampshire State Papers*,²⁷ a list of the grantees being appended to the name of each town.

Many petitions of New York grantees are given in volume four of E. B. O'Callaghan's *Documentary History of New York*²⁸ which contains more than 500 pages of Vermont records, many of genealogical importance. Some of the petitions constitute virtual censuses of the several towns.

Vermont land grants are indexed in volume II of the printed *State Papers of Vermont*²⁹ and New York Charters are treated similarly in volume VII. Extensive information and names are included in volume VI, relating to the sequestration and confiscation of lands and estates during the Revolution. Petitions for land are printed and indexed in volume VII. Volumes V, VI and VII are the work of Mrs. Mary Greene Nye, who has also compiled a monumental and nearly unique name and subject card index to the manuscript state papers in the Office of the Secretary of State.

Land records help to determine relationships and are useful in tracing migration. In Vermont today, land records are kept in the offices of town clerks, most of them with indexes of grantees and grantors. About 1810 one finds a land census giving approximate place of residence. These may be followed up in land records of neighboring plots. Vermont land records with other town records were carefully inventoried by the Historical Records Survey.

Mimeographed bound inventories, accompanied by an introductory historical sketch, were issued for several towns before the Survey dissolved in 1943. Copies are in the Vermont Historical Society. The manuscript inventories for other towns were deposited with the Vermont Historical Society, and constitute an invaluable central reference file from which can be discovered the type, extent and condition of the records of any town in the state. There is a guide to the use of the files, compiled by Henry H. Eddy, last Director of the Survey.

Land records, as summarized above, span from the earliest days to the present time in published and unprinted sources. In similar form other records exist that are fundamental to the validity of genealogical research: town, probate, birth, marriage, death, church and cemetery.

WARNINGS IN EARLY TOWN RECORDS

To follow a trail through records in their original has all the lure of the chase. One never can foresee what may turn up. To illustrate—names of entire families down to the hired man may often be found in the “warnings” of early town records. This procedure apparently was routine in Vermont when the father and husband, i.e. the bread winner, died, even if he left property. In these cases frequently subsequent records show that the “warned” continued to reside in town, a circumstance suggesting that the “warning” to leave town had no reference to the desirability of the “warned” as residents but constituted a public notice that the town would not be responsible for the support of the widow and fatherless children.

THE VERMONT CENSUS

The Vermont Census is a valued source for locating ancestors. The printed 1790 Census, giving Heads of Families, may be consulted at the Vermont Historical Society; also the Census for 1800 of which copies may be purchased from the Society.³⁰ The Census for 1810 in mimeographed form, for Bennington and Rutland counties only, will be found at the Vermont Historical Society. Manuscripts of the 1850, the 1860 and the 1870 censuses are on file in the Vermont State Library. These give names of each individual in the family and the state in which he was born. Decennial censuses for Vermont are on file in the Bureau of the Census at Washington.

VERMONT VITAL RECORDS

The Vital Records of Vermont, available in the Office of the Secretary of State, where they may be consulted in card form, constitute an excellent introduction to the records of the state, particularly for the "green beginner" in genealogy. The Vital Records on file there are card copies of records sent in by town clerks and include divorces as well as marriages, births and deaths. There are few entries back of the 1770's. For a nominal charge, a certified record will be supplied upon request.

These Vermont Vital Records contain cemetery records up to 1870, incomplete however. Omissions include small out-of-the-way "burying grounds" and family lots on farms. The Vermont Historical Society has on file a fairly complete Graves Registration list, a project of the W.P.A.

WILLS

Probate records are of fundamental importance. People however often fail to make will. Wills disappear. Entire files may be destroyed by fire, flood or other catastrophe. "Wills are generally indisputable documents." They may be written or nuncupative—given on the deathbed in the presence of witnesses—the latter form being rare in this century. "The oldest known will known to exist today in its original form is that of Sekhenren, an Egyptian, dated about 2550 B.C. English wills dating from the time of the Norman Conquest are common, and in the case of many the original parchment on which they were written has survived."⁷

Searchers for wills should bear in mind that under New York and before Vermont became a state, there were only two counties, Cumberland and Gloucester. Today Vermont has 14 counties and some 20 probate districts. For information upon the latter consult "Vermont Probate Districts" in the *National Historical Magazine D.A.R.*³¹ for January 1942 compiled by Lue Reynolds Spencer from an article by Gilbert Doane.

For Probate and census records it is often necessary to employ a private searcher.

CHURCH RECORDS

For church records, if using the library of the Vermont Historical Society, the genealogist would consult the card catalog under the name of the denomination or write the church officer whose name is given in the denomination's Yearbook. There is also avail-

able at the Society in manuscript an extensive inventory of church records similar to that of town records, and likewise compiled by the Historical Records Survey.

Outstanding compilations of church records in this country are those of the Friends (Quakers) and the Latter Day Saints (Mormons.)⁷ The first column of *Quaker Genealogy* contains the records of 33 North Carolina meetings whose members were connected with many Friends in Pennsylvania, Maryland, Virginia and the Carolinas.

The Church officers of the Church of Christ of the Latter Day Saints have a card index containing all kind of records dating back to 1830 and further, many of them unprinted. They are in the process of microfilming vital and genealogical records the world over to obtain a vast central collection in Salt Lake City, Utah.

HEREDITARY-PATRIOTIC SOCIETIES

But are there no short cuts to this hunt for ancestors? The answer seems to be determined by the inhibitions of the hunter. Miss X, granddaughter of a high Church ecclesiastic whose conservative background made her feel the need of a more democratic tradition for writing she was doing for political ends, decided to annex Roger William to her family tree. As she filled in the last name on her chart she observed, "There were so few people here in those early days that it's easy to plug in almost anywhere."

The increasing vigilance of patriotic societies in checking the credentials of applicants for membership and their systematic and conscientious correction of errors in lineages suggest the hurdles the lady would have to take today unless her credentials were valid. Her attitude however, represents a carelessness which is lamentably evident in the inaccuracies of many genealogies of the late 1890's and early 1900's which beginners would do well to bear in mind.

Perhaps the best way to grasp what these patriotic-hereditary societies stand for is to try to join one of them, say the D.A.R. To understand the technique of Credentials study the chapter in Doane's *Searching for your Ancestors*,⁷ entitled "How to be a D.A.R." and read the chapter called "Research for Credentials to Membership in Patriotic-Hereditary Societies" in Reed's *Identifying Ancestors*.¹⁰ The Records gathered by the Vermont National

Society of the D.A.R. in 16 volumes and the D.A.R. Lineage Books in 166 volumes are on file in the Vermont Historical Society.

Vermont has its own organization of Colonial Dames. Since the Green Mountain State was never a colony, candidates seeking credentials to this organization, to the Society of Mayflower Descendants, the Order of Founders and Patriots, and other colonial societies often face problems that they can best surmount with the help of a experienced genealogist.

In considering genealogical research as an incentive to the study of history, we are prone to overlook the spade work done by the patriotic societies, whose foundation *is* genealogy: their services to schools, to communities, the state and the country.

Speaking on "The Genealogist as a Contributor to American History," before the National Genealogical Society, Henry W. Hyde, Jr. stressed the service to history performed by the patriotic societies, based as they are upon "the first fruits of genealogy."³² This service he analyzed as the publication of public and private records whose existence might otherwise remain unknown; community education in citizenship and history and the location and marking of historic sites and buildings. The speaker quoted Mrs. Charles M. Morris of Milwaukee, who in a discussion at a meeting of the American Historical Association on "The Preservation of Historical Material by Patriotic Societies," pithily observed: Could the historical societies but realize it, they have at hand in the patriotic societies a group, based on the history of the country, which under proper organization could be used as a valuable ally."³³

Historical societies have long recognized the potential power of the patriotic societies. As far back as 1911 in a paper printed by the American Historical Association on "The Productive Work of Patriotic Societies" Harry Brent Mackoy gave expression to the significance of their educational work.³⁴

Earle Williams Newton, Director of the Vermont Historical Society, however, touched the very core of the matter when, in his address on "History and the Patriotic Society", Washington's Birthday, 1944, before the assembled patriotic societies of Vermont at Burlington, he declared that both historical and patriotic societies must make a fresh start.

"I cannot but feel," he said, "that our historical societies must

justify their existence by a critical approach to the past, letting the chips fall where they may; and that our patriotic societies whose reason for existence lies in their claim upon history, must do more than establish a line of genealogical ascent out of the past. We cannot rest upon the laurels of our ancestors, for they carry no merit to us. The true test of our patriotism is our willingness to cut the pattern of the future not from the image of the past, but from the necessities of the present—and to do this with critical analysis of human needs.”³⁵

In comparing their achievements with those of patriotic societies historical societies avoid the seat of the scornful. For they realize keenly that they have a longer past for which to show performance and that genealogy is young in a country whose democratic tradition tended to discourage its pursuit until patriotic societies gave it focus and drive.

To give a single illustration: historic sites are being increasingly stressed in programs of historical societies. They have long been integrated in the work of patriotic societies. It was not an historical society but a group of women, later incorporated by Congress as the Mount Vernon Ladies' Association, who restored and now maintain the home of the first President of our country. When Ann Pamela Cunningham first examined in 1845 the home of Washington that had been in his family for 125 years, she found it in ruins. An account of her self-sacrificing and courageous leadership is given in the *Readers Digest* for February 1948 by Margaret Cresson in an article every American should read: “The Bells of Mount Vernon.”³⁶

GENEALOGY IS YOUNG

Genealogical research, as we have indicated, is young. The oldest American genealogy is *A Genealogy of the Family of Mr. Samuel Stebbins*³⁷ and *Mrs. Hannah Stebbins, His Wife, from the Year 1707 to the Year 1771 . . . 1771*. Few family Bible registers go back to the beginning of the last century for the early Puritans held these records to be expressions of personal vanity. Nevertheless, there are already American genealogies in print that may be regarded as models. Two of these are the *Dawes-Gates Ancestral Lines*,³⁸ by Mary Walton Ferris; and the *Bulkeley Genealogy*; the Rev. Peter Bulkeley. . . his career, his ancestry, the ancestry of his two wives. . . by Donald Lines Jacobus.³⁹

The first collective American genealogy was compiled by John Farmer, *Genealogical Register of the First Settlers of New England*. . . 1829.⁴⁰ In 1844 James Salvage began the *Genealogical Dictionary of the First Settlers of New England*,⁴¹ showing three generations of those who came before May 1692, on the basis of Farmer's Register. Its publication was completed 18 years later.

Its a long flight from these early landmarks to the monumental *American Genealogical Index* and to town histories like those of Barnard, Pomfret and Peacham, where history and genealogy advance hand in hand. It begins to look as if the family was coming into its own in American history, and characteristically in a democratic and American way—through the schools.

Out in Minnesota, where thirty years ago Professor Herrick advanced his opinion that a lively interest in a great grandfather would lead naturally to an active interest in history, family history is now being taught in the College of St. Catharine at St. Paul, as a step toward making American History meaningful. How this application of Professor Herrick's belief is working out there is described by the teacher of the course, Sister Mary Virginia in her article "The Study of Family History in a Minnesota College,"⁴² where she says that the experiment has stood ten years of practice and much criticism. Possibilities in application are also foreshadowed today in the Junior History Movement in the Public Schools. An illuminating article under that title by Horace Bailey Carroll has been published in pamphlet form.⁴³

This article might be called "Genealogy On Your Own." For its purpose is to help the "green beginner" to get to the roots of his ancestral tree under his own power. When Professor Herrick advanced his provocative thought that 1718 was quite as interesting as 2018, his frame of reference held no Hiroshima and its hideous aftermath. Caution propels us toward the past, the farther, the better: a kind of "immortality in reverse."

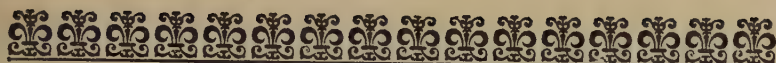
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Freeman's Oath

by Andrew E. Nuquist

FEW persons in the United States consider their political heritage when they cast a ballot for the candidate of their choice, or vote on an issue at an election. In spite of this apathy, the opportunity to vote marks a high point in man's long struggle to achieve freedom; and more than those of many other states the citizens of Vermont have cause for contemplation as they cast their ballots; they ballot only under cover of an oath prescribed by Section 34, of Chapter Two of the Vermont Constitution, which reads:

Every person of the full age of twenty-one years, who is a natural born citizen of this or some one of the United States, or who has been naturalized agreeably to the Acts of Congress, having resided in this state for the space of one whole year next before the election of representatives, and who is of a quiet and peaceable behavior, and will take the following oath or affirmation, shall be entitled to all the privileges of a freeman of this state:

You solemnly swear (or affirm) that whenever you give your vote or suffrage, touching any matter that concerns the State of Vermont, you will do it so as in your conscience you shall judge will most conduce to the best good of the same, as established by the Constitution, without fear or favor of any person.

The implications in this the Freeman's Oath, are important and of grave consequence. The oath implies that no person will cast a ballot in Vermont without having weighed his actions and conscientiously made a choice. The oath intends that no one can buy a vote, for there is no one to sell. As the oath suggests, Vermonters are believers in the benefits and privileges of free men, with freedom.

In almost identical words the Freeman's Oath has appeared in the Constitution of Vermont ever since that hot July day in 1777, in Windsor, when a sudden severe thunderstorm kept a group of worried Vermont patriots at their task, instead of permitting them to rush out to their several homes to defend their families and their firesides against Burgoyne's advancing troops. These early Vermonters were the product of nearly a hundred and fifty years of American freedom and self-government. They knew the advantages of a fundamental law through their participation in the government of the older settled areas. It is not surprising that with this background and a knowledge of the laws of their former towns the delegates included a Freeman's Oath in the new Constitution of 1777.

HISTORICAL BACKGROUND OF THE FREEMAN'S OATH

The story of the Freeman's Oath really begins in England with its practices of human relations based upon centuries of custom. By the seventeenth century a freeman was one who had no formal ties with a specific bit of land owned by a definite lord. The freeman thus had a certain amount of freedom of movement and action and was not bound to the land, a status that gave him a great advantage. He was able to move on to what appeared to be greener pastures when it appeared to him that the prospects warranted.

Many of these and other distinctions were embodied in the charters which the King granted to the incorporated companies which proposed to exploit the Americas for religious freedom and business profits. In the first settlements in New England, in both Plymouth and Massachusetts Bay the colonists early set up new governments based upon covenants founded in the Biblical authorities. The distinctions of England were kept. By May 1631, the new governments had decreed that no person could be a *freeman* of the colony unless he was a church member; to be a church member he must satisfy the rigid requirements fixed by the authorities, and the church itself, all this in order that power would remain in the hands of an elite few. These hurdles successfully passed, the supplicants were finally admitted to the privileges of a freeman by taking an oath. This Freeman's Oath is one of the first official enactments of the colony of which we have a record, and is the basis for all the similar oaths which we shall discuss. Its text is as follows:

I (A,B,) being by Gods providence, an inhabitant, and freeman within the jurisdiction of the Commonwealth; do freely acknowledge myself to be subject to the Government thereof: And therefore do here swear by the great and dreadful name of the ever-living God, that I will be true and faithful to the same, and will accordingly yield assistance and support thereunto, with my person and my estate, as in equity I am bound; and will also truly endeavour to maintain and preserve all the liberties and privileges thereof, submitting myself to the wholesome laws and orders made and established by the same. And further, that I will not plot or practice any evil against it, or consent to any that shall so do, but will timely discover and reveal the same to lawful authority now here established, for the speedy preventing therefor.

Moreover, I do solemnly bind myself in the sight of God, that when I shall be called on to give my voice touching any such matter of this state, in which Freemen are to deal, I, will give my vote and suffrage as I shall judge in mine own conscience may best conduce and tend to the public weal of the body, without respect of persons, or favour of any man. So help me God in the Lord Jesus Christ.¹

In giving the Freeman's Oath and granting status to the colonists the leaders were assuming the functions of government in a manner which was open to question. As a chartered corporation, the officers of the colonies were restricted to the terms of their charter and were not supposed to exceed the grant of powers therein. But the heady wine of the free air of New England caused them to disregard many of their obligations and they created new laws and governed themselves almost as they wished. The attempts of the leaders to restrict the numbers of freemen soon caused difficulties.

There were so few freemen and the burdens of public office were so heavy in consequence that "many tried to escape from 'publick service'" by refusing to serve when once elected, or even refused to become freemen. So troublesome did this become that in 1647 the General Court in Massachusetts was forced to enact a strict law, of which the following section is a part:

And whereas many members of Churches to exempt themselves from Publick service, will not come in to be made freemen, It is Ordered, That no members of Churches within this Jurisdiction, shall be exempt from any publick service, they shall be chosen to, by the Inhabitants of the severall Townes, as Constables, Jurors, Selectmen, surveiors of the High-ways. And if any such person shall refuse to serve in, or take upon him any such office, being Legally chosen thereunto, he shall pay for every

1. *Tracts and other Papers*, relating principally to the Origin, Settlement, and Progress of the Colonies in North America, from the Discovery of the Country to the year 1776. Collected by Peter Force, Vol. IV, Washington, 1846, Wm. Q. Force. "New Englands Jonas Cast up at London, etc.," 1647, p 15.

*such refusall, such fine, as the Town shall impose not exceeding Twenty shillings for one Offence.*²

So much criticism arose against this statute that it finally reached the ears of the King. The result was a letter from "His Majesty" which a General Court in Massachusetts had to consider. On August 3, 1664, a law was enacted whose terms must have caused some of the good members to shake their heads about the decadence of the times. It is an attempt to answer the King's criticisms and yet to retain as many of the old controls as was possible to slip in.

*In Answer to that part of His Majestyes Letter, of June 28, 1662, concerning the Admission of Freemen. This Court doth Declare, That the Law prohibiting all Persons, except Members of Churches, and also for allowance of them in County Court are hereby repealed, And do hereby also Order and Enact that from henceforth all English men presenting a Certificate under the hand of the Ministers, or Minister of the Place where they dwell, that they are Orthodox in Religion, and not Vicious in their Lives, and also a certificate under the hands of the Selectmen of the place, or the major Part of them, that they are Free-holders: and are for their own propper Estate (without heads of Persons) Rateable to the Country in a single Country Rate, after the usuall manner of valuation in the place where they live, to the full vallue of Ten shillings, or that they are in full Communion with some Church amongst us; It shall be in the Liberty of all and every such Person or Persons, being twenty four yeares of age, Householders, and settled Inhabitants in the Jurisdiction, from time to time to present themselves and their desires to this Court, for their admittance to the freedome of this commonwealth, and shall be allowed the privilege, to have such their desire Propounded and put to Vote in the General Court, for acceptance to the freedome of the body politick, by the suffrage of the major parte according to the Rules of our Patent.*³

While this enactment was a considerable weakening of the requirements it still placed several obstructions in the way of entry into the status of free men. The law marked a great change from strictly religious requirements to a combination of religious and secular requirements. The law did make it possible to be a free-man, to vote, and to hold office without being a church member. But the requirement that they still be "orthodox in religion" reminded them of their control by the churches, while the taxpaying requirements guaranteed that only those of some substance, and hence of quality be admitted.

2. *The Colonial Laws of Massachusetts*. Reprinted from the Edition of 1660, with Supplements to 1672. Published by order of the City Council of Boston under the supervision of William H. Whitmore, Record Commissioner, Boston, 1889, p 153.

3. *Ibid.*, p. 229.

The severity of the laws and the strictures placed upon the residents of Massachusetts by the churchly Magistrates early caused much dissatisfaction. Within five years some of the more restless and less amenable members of the towns had streaked off through the woods to the land that was to become Connecticut and had there set up new towns. Once arrived, a transformation seemed to come over the erstwhile rebels. The respectable citizens proceeded to set up the frame of a new government based to a great extent upon that of Massachusetts, whose rigidity they had just fled. They even included the requirement for church membership before being admitted to the status of a freeman, and granted the suffrage only to those who had been admitted as freemen. Thus the state was to be protected from those who were not "orthodox in religion" or who were "vicious in their lives," as determined by the church.

These Connecticut fathers evidently took with them copies of the first broadside printed in New England—the original Freeman's Oath—which was printed on the famous Stephen Daye Press, now displayed in the Vermont Historical Society Museum in Montpelier. This may be adduced from the fact that they required every freeman to subscribe to what they called the Freeman's Charge, which follows the Massachusetts oath very closely. The Charge of about 1647 follows:

You shall neither plot, practice, nor consent, to any evil, or hurt, against this jurisdiction, or any part of it, not against the civil government here established; and if you shall know any person or persons, which intend, plot, or conspire anything which tends to the hurt, or prejudice of the same, you shall timely discover the same to lawful authority here established, and you shall assist and be helpful in all the affairs of the jurisdiction, and by all means promote the public welfare of the same, according to your place, ability, and opportunity; you shall give due honor to the lawful Magistrates and shall be obedient and subject to all the wholesome laws and orders already made, or which shall be hereafter made by lawful authority aforesaid, and that both in your person and estate, and when you shall be duly called to give your vote or suffrage, in any election, or touching any other matter which concerns this Commonwealth, you shall give it as in your conscience you shall judge may conduce to the best good of the same.⁴

It will be noted that there is no requirement for church membership required, for the citizens of the new towns rebelled sooner

4. *Ancient Town Records, Vol. I, New Haven Town Records, 1649-1662*, Edited by Franklin Bowditch Dexter, Litt. D., for the New Haven Colony Historical Society. Printed for the Society, New Haven, 1917. p 534.

than did those of Massachusetts. This continued to be true during the next hundred years or so for there was little or no change in the oath and its basic concepts. It did become necessary to provide by law for a more complete statement of who could take, and how they could take the Freeman's Oath.

In an old Connecticut law book, published for the most part in 1751, there can be found some very significant material. The laws enacted in the General Court that concern freemen are almost identical with those enacted by the General Assembly of Vermont in the earliest years of its existence. So important are they for the future of the Freeman's Oath in Vermont that they are reproduced in full.

Be it Enacted by the Governour, Council, and Representatives, in General Court Assembled, and by the Authority of the same, That the Town-Clerks in the several Towns of this Colony shall Enroll in their respective Offices, the Names of all such Persons in their respective Towns as are, or shall be Admitted Free-Men of this Corporation: Which Enrollments shall be made by the Direction of the Authority, and Select-Men of the Town, in the Open Free-Mens Meeting, legally Assembled.

That no Person hereafter shall be admitted, and made Free of this Corporation, but in the Open Free-Mens Meeting of the Town whereto he belongs, Regularly Assembled.

That all such Inhabitants in this Colony as have accomplished the Age of Twenty One Years, and have the Possession of Free-hold Estate to the Value of Forty Shillings per Annum, or Forty Pounds Personal Estate in the General List of Estates in the Year wherein they desire to be Admitted Free-Men; and also are Persons of a Quiet, and Peaceable Behaviour, and Civil Conversation, may, if they desire it,—on their procuring the Select-Men of the Town wherein such Persons Inhabit, or the Major Part of them; to certify that the said Persons are Qualified, as abovesaid, be Admitted, and made Free of this Corporation, in case they take the Oath provided by Law for Free-Men: Which Oath any One Assistant, or Justice of the Peace is hereby Impowered to Administer in said Free-Mens Meeting.

And all such Persons Admitted, and Sworn as aforesaid, shall be Free-Men of this Corporation; and their Names shall be Enrolled in the Roll of Free-Men in the Town-Clerks Office of that Town wherein they are Admitted as aforesaid.

And that when any Select-Man shall give a Certificate concerning any Person, or Persons who are desirous to be made Free-Men, and shall Certify that they are of Peaceable, and Civil Conversation, and Qualified according to this Act; if it shall after Appear that such Persons are not Qualified as is Certified by the Select-Men, every Select-Man that shall Certify, as aforesaid, shall pay a Fine of Three Pounds Six Shillings, to the Colony Treasurer.

And that if any Free-Man of this Corporation shall walk Scandalously, or commit any Scandalous Offence, it shall be in the Power of the Superior Court in this Colony, on Complaint thereof to them made, to Disfranchise such Free-Man; who shall stand Disfranchised till by his good Behaviour

*the said Superior Court shall see cause to Restore him to his Franchise-ment, or Freedom again: Which the said Court is Impowered to do.*⁵

The oath to be administered to those who were admitted to the status of Freemen was found in the section of the laws dealing with the form to be sworn to by all office holders. This oath is definitely the fore-runner of that given at the beginning of this article and read as follows:

*You A. B. being by the Providence of God an Inhabitant within this His Majesty's Colony of Connecticut, and now to be made Free of the same, Do Swear by the Ever Living God, that you will be True, and Faithful to His Majesty King George the Second, and to His Lawful Successors; and to the Government of His Majesty's said Colony, as Established by Charter: And whensoever you shall give your Vote, or Suffrage touching any Matter which concerns this Colony, being called thereunto, you will give it as in your Conscience you shall Judge may conduce to the best Good of the same, without Respect of Persons, or Favour of any Man. So help you God.*⁶

THE FREEMAN'S OATH IN VERMONT

With this oath and its supporting legislation familiar to the respectable and substantial citizens who assembled at Windsor in early July 1777, it is not at all surprising that they included a Freeman's Oath in the constitution they were creating. It is not beyond the realm of possibility that the old Connecticut law book from which the copy of the oath was taken might have been the very one from which the delegates took their phrasing. At least it is possible that they may have seen the volume, since its owner is known to have been living in Dummerston in 1790.

There are other matters still more remarkable and striking than the matter of coincidence of terms and phraseology. Of these, none is more outstanding than that the delegates, in spite of their background and heritage should have been willing to blaze new trails. It is quite apparent that these delegates were determined that *every male* should share in the privileges and responsibilities of the new government. At the same time they were agreed that there should be some ceremony which showed that the citizen recognized his responsibilities. It was therefore made possible for all males, and not just an elite few, to govern themselves and to

5. *Acts and Laws Passed by the General Court or Assembly of His Majesty's English Colony of Connecticut in New England in America, Printed, and Sold by Timothy Green, Printer to the Governour, and Company of His Majesty's Colony of Connecticut, New London, 1751.* p. 80.

6. *Ibid.*, p 175.

participate in the procedure. This was a settled conviction and not just a hurried thought. Nothing else shows this more clearly than the sections in Chapter One of the new constitution, which *for the first time in the history of this country outlaw slavery and make elections free*. The words should stir every American who loves liberty.

1. *That all men are born equally free and independent, and have certain natural, inherent and unalienable Rights, amongst which are the enjoying and defending of Life and Liberty; acquiring, possessing and protecting Property, and pursuing and obtaining Happiness and Safety. Therefore, no male Person, born in this country, or brought from over Sea, ought to be holden by Law to serve any Person as a Servant, Slave or Apprentice, after he arrives to the Age of twenty-one Years, nor female in like Manner, after she arrives to the Age of eighteen Years, unless they are bound by their own Consent after they arrive to such Age, or bound by Law for the Payment of Debts, Damages, Fines, Costs, or the like.*

6. *That Government is, or ought to be, instituted for the common Benefit, Protection, and Security of the People, Nation or Community; and not for the particular Emolument or Advantage of any single Man, Family, or Set of Men, who are a Part only of that Community; and that the Community hath an indubitable, unalienable and indefeasible Right to reform, alter, or abolish Government, in such Manner as shall be by that Community judged most conducive to the public Weal.*

8. *That all Elections ought to be free; and that all Freemen, having a sufficient evident common Interest with, and Attachment to the Community, have a Right to elect Officers, or be elected into Office.¹*

Having thus provided for full manhood suffrage for the first time in this country, these men at Windsor then decided that there be some tangible evidence of the granting of the suffrage and at the same time an opportunity for the realization of the type of responsibilities which were then the obligation of the citizen. They, therefore, included the obligation or oath, with which they were all familiar, but changed it to conform with their more liberal views of who should take it. This Freeman's Oath in the first Constitution of Vermont is worded for the most part as it is today.

Chapter Two. Section 6. Every Man, of the full Age of twenty-one Years, having resided in this State for the Space of one whole Year next before the Election of Representatives, and is of a quiet and peaceable Behaviour, and will take the following Oath (or Affirmation) shall be entitled to all the Privileges of a Freeman of this State.

7. *The Constitution of the State of Vermont, as established by the General Convention elected for that purpose and held at Windsor, July 2nd, 1777 and continued by adjournment to December 25, 1777. Harford, Printed by Watson and Goodwin, no date but probably 1777. Sec. No. 6, Chapter Two. See also note No. 9, p 5.*

... I solemnly swear by the ever-living God, (or affirm, in the Presence of Almighty God,) that whenever I am called to give my Vote or Suffrage, touching any Matter that concerns the State of Vermont, I will do it so as in my Conscience I shall judge will most conduce to the best Good of the same, as established by the Constitution, without Fear or Favour of any Man.⁸

The comparison of this Freeman's Oath with the earlier forms given above will show where it came from and how it had evolved in the years after 1630. All the changes had been in the nature of broadening the rights of citizens.

When some of the same men who had met at Windsor, and others, properly chosen, met in 1779 to create the laws under which the inhabitants of Vermont were to live, they had a big task to perform, and they did it well. Among the laws were those governing elections. Here the lawmakers first enacted the words given just above, and then added the following sections, taken directly from the laws of Connecticut.

Be it further enacted by the Authority aforesaid, *That no Person shall be admitted to take the Freeman's Oath, until they have obtained the Approbation of the Select-men of the Town, signifying that they are qualified according to this Act; which Oath any one Assistant, Justice of the Peace or Town-Clerk in their absence is hereby impowered to administer.*

And all such Freemen, admitted and sworn as aforesaid, shall be Freemen of this Corporation, and their Names shall be enrolled in the Roll of Freemen, in the Town-Clerk's Office of that Town, wherein they are admitted as aforesaid.

And that if any Freeman of this Corporation shall walk scandalously, or commit any scandalous Offence, it shall be in the Power of the Superior Court in this State, on Complaint thereof to them made, to disfranchise such Freeman; who shall stand disfranchised, until by his good Behaviour, the said Superior Court shall see Cause to restore him his Franchisement or Freedom again; which the said Court is impowered to do.⁹

This enactment still shows general traces of the religious basis of the thinking transmitted from the down-country settlements. As has been mentioned it is directly traceable to the then existing laws of Connecticut. For many years the Vermont laws showed almost verbatim borrowing from the same source.

By the time of the revision of the Vermont Constitution in 1786, there was a secular change evident in the thinking of the delegates, and in the new Freeman's Oath, prescribed in the changed

8. *Ibid.*, p 12.

9. *Acts and Laws of the State of Vermont in America*, Printed by Jodah-Padock & Alden Spooner, Printer to the General Assembly of said State. 1779. p 38. See also p 5 of Introductory Constitution.

document, the specific references to the Deity have been removed. The oath then read: "You solemnly swear (or affirm) that whenever you give your vote or suffrage, touching any matter that concerns the State of Vermont, you will do it so as in your conscience you shall judge will most conduce to the best good of the same, as established by the Constitution, without fear or favor of any man."¹⁰ The other portions of the same section remained as they were.

The session of the General Assembly in 1787 re-enacted the laws then in force. They merely restated the sections of the Acts of 1779, that concerned voting, changing them to conform to the newly ratified constitution of 1786.¹¹ In the revision of 1793 the constitutional sections concerning the Freeman's Oath were left unchanged. The revision of the laws that occurred in 1797 followed the same path.¹²

Not until the General Assembly met in session in October, 1812, was there any further change in the form or content of the oath and its supporting legislation. In November the new law stated that no person could take the oath without "the approbation of a *majority of the selectmen and justices of the peace* of such town, present at the meeting where he shall apply for admission."¹³ The words in italics mark a change, in that Justice in the town are now added to the selectmen, and that it now requires a majority of the joint body to give their assent. This is the Board of Civil Authority, although not called such, whose approbation is today required by current law.

It remained the duty of the selectmen and justices to give their approbation for admission to the status of freemen through the publication of the *General Statutes of Vermont, 1862, with an Appendix, 1870*. In the *Revised Laws of Vermont, 1880*, the phraseology was changed so that the power of giving approval

10. *Statutes of the State of Vermont*, Passed by the Legislature in February and March 1787., Windsor, Printed by George Haugh and Alden Spooner, Printers to the General Assembly of said State, 1787. Section XII of Chapter Two, p 12.

11. *Ibid.*, p 50.

12. *The Laws of the State of Vermont*, Digested & Compiled, 2 Vols, (bound in one), Randolph, Printed by Sereno Wright, Printer to the State, 1808, Vol. II, pp 97-98.

13. *Laws of the State of Vermont*, to the close of the Session of the Legislature in the year 1816, with an Appendix. Vol. III, Rutland Publisher by Fay, Davison & Burt, 1817, p 167.

to the request of the supplicant for admission as a freeman was placed in the hands of the board of civil authority, where it has remained.

On June 27, 1828, a proposal for amendment was ratified and added to the Vermont Constitution as Amendment Article I. This amendment came about because of the increasing interest in naturalization laws for aliens, which was sweeping the country. The amendment read as follows: "No person, who is not already a freeman of this state, shall be entitled to exercise the privileges of a freeman, unless he be a natural born citizen of this or some one of the United States, or until he shall have been naturalized agreeable to the Acts of Congress."¹⁴ In the *Revised Statutes of Vermont, 1839*, the sections dealing with those citizens who can vote, begins with the words, "Every male citizen, of twenty-one years of age and upwards. . . ." This wording carries out the principle of the new amendment.

Although there were no changes in the articles of the Constitution which dealt with the Freeman's Oath in the years following 1828, there were frequent changes in the wording of the statutes which provided for the taking of the oath. These changes have little significance except to the legal historian for they do not change the concepts first presented in the laws of 1779. It was not until 1913, that the extensive revisions of that year re-arranged the Constitution and re-wrote the sections on the Freeman's Oath. It then became Section 34 of Chapter Two. The Oath itself was unchanged, but the preliminary paragraph then read; "Every man of the full age of twenty-one years, who is a natural born citizen of this or some one of the United States, or has been naturalized agreeably to the Acts of Congress, having resided in this State for the space of one whole year next before the election of Representatives, and who is of a quiet and peaceable behavior, and will take the following oath or affirmation, shall be entitled to all the privileges of a freeman of this state."¹⁵

In 1920 the Nineteenth Amendment to the national Constitution was ratified and its terms made a part of national practice. The amendment caused the Constitution of Vermont to be out of

14. *The Laws of Vermont*, of a Public and Permanent Nature, Coming down to, and including the year 1834, Daniel P. Thompson, Montpelier, Knapp and Jewett, Printers, 1835, p 8.

15. *General Laws of Vermont, 1917*, Published by Authority, 1918, p. 54.

line with national laws. In 1924 a ratification of a new revision of Section 34 of Chapter Two gave the necessary consent for the last change to be made. The present form now provides for suffrage for *all* persons over twenty-one years of age and is worded in the manner of the Oath with which this article began.¹⁶

Today, after nearly 171 years, the freemen of Vermont still adhere to the same principles of honest voting, without fear or favor, that were enunciated by the members of the first constitutional convention in the state. Unique, in its singleness of purpose to maintain the integrity of the ballot, the State of Vermont will not soon, or easily, discard this major element of its heritage of freedom.



16. *Vermont Legislative Directory*, 1947, Prepared Pursuant to Law by Rawson C. Myrick, Sec. of State, p 41.

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